



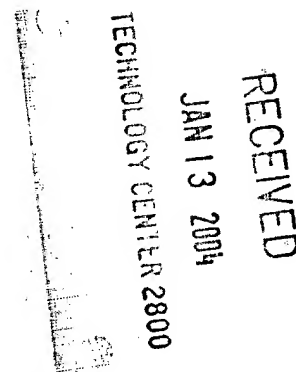
Our Docket No.: 42390P4577

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Phillip E. Mattison ) Examiner: Luu, Thanh X.  
Application No.: 09/307,574 ) Art Group: 2878  
Filed: May 7, 1999 )  
For: Enhanced Photocell With )  
Sample and Hold Amplifier )

RESPONSE TO OFFICE ACTION

Mail Stop Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



Sir or Madam:

In response to the Office Action mailed on September 5, 2003, Applicant respectfully requests the Examiner to enter the following amendment and to consider the following remark.

FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that I am causing the above-referenced correspondence to be deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and that this paper or fee has been addressed to the Commissioner for Patents, Alexandria, VA 22313.

Date of Deposit: January 5, 2004.

Name of Person Mailing Correspondence: Krista Mathieson

Krista Mathieson  
Signature

January 5, 2004  
Date

01/09/2004 JBALINAN 00000047 09307574

01 FC:1251

110.00 OP



28784

|   |    |                        |                    |
|---|----|------------------------|--------------------|
| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) |    | Application No.        | 09/307,574         |
|   |    | Filing Date            | May 7, 1999        |
|   |    | First Named Inventor   | Philip E. Mattison |
|   |    | Art Unit               | 2878               |
|   |    | Examiner Name          | Luu, Thanh X.      |
| Total Number of Pages in This Submission  | 19 | Attorney Docket Number | 42390P4577         |

| ENCLOSURES (check all that apply)  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><br><input type="checkbox"/> Fee Attached<br><br><input checked="" type="checkbox"/> Amendment / Response<br><br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input checked="" type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> PTO/SB/08<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><br><input type="checkbox"/> Basic Filing Fee<br><input type="checkbox"/> Declaration/POA<br><br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><br><input type="checkbox"/> Petition to Convert a Provisional Application<br><br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group<br><br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br><div style="border: 1px solid black; padding: 5px; margin-top: 5px;">Return Receipt Postcard, First Class Certificate of Mailing.</div> |
| Remarks  |   |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |
|--|---|
| Firm or Individual name                    | Mark C. Van Ness, Reg. No. 39,865<br>BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP |
| Signature                                  |   |
| Date                                       | 1/5/2004  |

| CERTIFICATE OF MAILING/TRANSMISSION  |                  |      |        |
|--|------------------|------|--------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. |                  |      |        |
| Typed or printed name  | Krista Mathieson |      |        |
| Signature  |                  | Date | 1/5/04 |

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# FEE TRANSMITTAL FOR FY 2004

(FY 2004 Begins 10/01/2003)

TOTAL AMOUNT OF PAYMENT (\$) \$110.00

Complete if Known:

Application No. 09/307,574

Filing Date May 7, 1999

First Named Inventor Phillip Mattison

Examiner Name Luu, Thanh X.

Art Unit 2878

Attorney Docket No. 42390P4577

       Applicant claims small entity status. See 37 CFR 1.27.

## METHOD OF PAYMENT (check all that apply)

       Check        Credit Card        Money Order        Other        None

  X   Deposit Account

Deposit Account Number : 02-2666

Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman, LLP

  X   The Director is Authorized to do the following with respect to the above-identified Deposit Account:

       Charge fee(s) indicated below.

  X   Credit any overpayments.

  X   Charge any additional fees during the pendency of this application.

  X   Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

       Charge fee(s) indicated below except for the filing fee.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description                    |
|--------------|----------|--------------|----------|------------------------------------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                                    |
| 1001         | 770      | 2001         | 385      | Utility application filing fee     |
| 1002         | 340      | 2002         | 170      | Design application filing fee      |
| 1003         | 530      | 2003         | 265      | Plant filing fee                   |
| 1004         | 770      | 2004         | 385      | Reissue filing fee                 |
| 1005         | 160      | 2005         | 80       | Provisional application filing fee |

SUBTOTAL (1) \$ 0.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

|                    |           | Extra Claims |          | Fee from below |                | Fee Paid |               |
|--------------------|-----------|--------------|----------|----------------|----------------|----------|---------------|
| Total Claims       | <u>19</u> | - 27** =     | <u>0</u> | X              | <u>\$18.00</u> | =        | <u>\$0.00</u> |
| Independent Claims | <u>4</u>  | - 4** =      | <u>0</u> | X              | <u>\$86.00</u> | =        | <u>\$0.00</u> |
| Multiple Dependent |           |              |          |                |                | =        |               |

\*\*Or number previously paid, if greater; For Reissues, see below.

| Large Entity |          | Small Entity |          | Fee Description   |
|--------------|----------|--------------|----------|---|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |   |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                    |
| 1201         | 86       | 2201         | 43       | Independent claims in excess of 3                         |
| 1203         | 290      | 2203         | 145      | Multiple dependent claim, if not paid                     |
| 1204         | 86       | 2204         | 43       | **Reissue independent claims over original patent         |
| 1205         | 18       | 2205         | 9        | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) \$ 0.00

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Fee Paid

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| <u>Larg Entity</u> |             | <u>Small Entity</u> |             | <u>Fee Description</u>   | <u>Fee Paid</u> |
|--------------------|-------------|---------------------|-------------|--|-----------------|
| <u>Fee</u>         | <u>Fee</u>  | <u>Fee</u>          | <u>Fee</u>  |  |                 |
| <u>Code</u>        | <u>(\$)</u> | <u>Code</u>         | <u>(\$)</u> |  |                 |
| 1051               | 130         | 2051                | 65          | Surcharge - late filing fee or oath  |                 |
| 1052               | 50          | 2052                | 25          | Surcharge - late provisional filing fee or cover sheet                     |                 |
| 1053               | 130         | 1053                | 130         | Non-English specification  |                 |
| 1812               | 2,520       | 1812                | 2,520       | For filing a request for ex parte reexamination                            |                 |
| 1813               | 8,800       | 1813                | 8,800       | Request for inter parties reexamination                                    |                 |
| 1804               | 920*        | 1804                | 920*        | Requesting publication of SIR prior to Examiner action                     |                 |
| 1805               | 1,840*      | 1805                | 1,840*      | Requesting publication of SIR after Examiner action                        |                 |
| 1251               | 110         | 2251                | 55          | Extension for reply within first month                                     | \$110.00        |
| 1252               | 420         | 2252                | 210         | Extension for reply within second month                                    |                 |
| 1253               | 950         | 2253                | 475         | Extension for reply within third month                                     |                 |
| 1254               | 1,480       | 2254                | 740         | Extension for reply within fourth month                                    |                 |
| 1255               | 2,010       | 2255                | 1,005       | Extension for reply within fifth month                                     |                 |
| 1401               | 330         | 2401                | 165         | Notice of Appeal   |                 |
| 1402               | 330         | 2402                | 165         | Filing a brief in support of an appeal                                     |                 |
| 1403               | 290         | 2403                | 145         | Request for oral hearing   |                 |
| 1451               | 1,510       | 1451                | 1,510       | Petition to institute a public use proceeding                              |                 |
| 1452               | 110         | 2452                | 55          | Petition to revive - unavoidable   |                 |
| 1453               | 1,330       | 2453                | 665         | Petition to revive - unintentional   |                 |
| 1501               | 1,330       | 2501                | 665         | Utility issue fee (or reissue)   |                 |
| 1502               | 480         | 2502                | 240         | Design issue fee   |                 |
| 1503               | 640         | 2503                | 320         | Plant issue fee  |                 |
| 1460               | 130         | 1460                | 130         | Petitions to the Commissioner  |                 |
| 1807               | 50          | 1807                | 50          | Processing fee under 37 CFR 1.17(q)  |                 |
| 1806               | 180         | 1806                | 180         | Submission of Information Disclosure Stmt                                  |                 |
| 8021               | 40          | 8021                | 40          | Recording each patent assignment per property (times number of properties) |                 |
| 1809               | 770         | 2809                | 385         | For filing a submission after final rejection (see 37 CFR 1.129(a))        |                 |
| 1814               | 110         | 2814                | 55          | Statutory Disclaimer   |                 |
| 1810               | 770         | 2810                | 385         | For each additional invention to be examined (see 37 CFR 1.129(b))         |                 |
| 1801               | 770         | 2801                | 385         | Request for Continued Examination (RCE)                                    |                 |
| 1802               | 900         | 1802                | 900         | Request for expedited examination of a design application                  |                 |
| 1504               | 300         | 1504                | 300         | Publication fee for early, voluntary, or normal pub.                       |                 |
| 1505               | 300         | 1505                | 300         | Publication fee for republication  |                 |
| 1803               | 130         | 1803                | 130         | Request for voluntary publication or republication                         |                 |
| 1808               | 130         | 1808                | 130         | Processing fee under 37 CFR 1.17(i) (except provisionals)                  |                 |
| 1454               | 1,330       | 1454                | 1,330       | Acceptance of unintentionally delayed claim for priority                   |                 |

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3) \$ 110.00**

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: Mark C. Van NessSignature:  Date: 1/5/04Reg. Number: 39,865 Telephone Number: (303) 740-1980

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450